



Docket: 71622

GFW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pre Application of:

Cook

Serial No.: 10/788,795

Group Art Unit: 1761

Filed: February 27, 2004

Examiner:

For: BEVERAGES CONTAINING WATER-SOLUBLE VITAMIN E

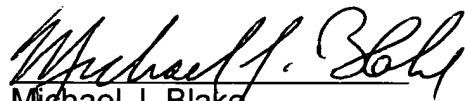
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97(b)

In accordance with 37 CFR 1.56, the documents listed on the attached Information Disclosure Statement by Applicant are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited documents are enclosed.

The Information Disclosure Statement submitted herewith is being filed to the knowledge of the undersigned before the mailing date of a first Office Action on the merits.

Respectfully submitted,

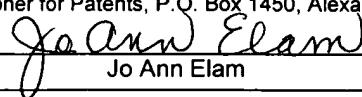

Michael J. Blake
Registration No. 37,096

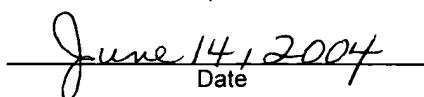
June 11, 2004
Date

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CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper(s) referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Jo Ann Elam


June 14, 2004
Date

JUN 17 2004

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet

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of

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Attorney Docket Number 71622

First Named Inventor Cook

COMPLETE IF KNOWN

Application Number 10/788,795

Filing Date February 27, 2004

Group Art Unit 1761

Examiner Name

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
		4,835,002		Wolf et al	05-30-89
		5,798,333		Sherman	08-25-98
		6,162,474		Chen et al	12-19-00
		6,180,130		Chen et al	01-30-01
		6,426,078		Bauer et al	07-30-02

FOREIGN PATENT DOCUMENTS

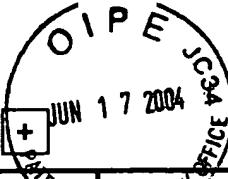
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			

Examiner Signature	Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449				Attorney Docket Number	71622
				First Named Inventor	Cook
COMPLETE IF KNOWN					
				Application Number	10/788,795
				Filing Date	February 27, 2004
				Group Art Unit	1761
Sheet	2	of	3	Examiner Name	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author(in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages(s), volume-issue number(s), publisher, city and/or country where published.			
		Behrman et al, Nelson Textbook of Pediatrics, 16 th ed., Chapter 340, Malabsorptive Disorders, pages 1159-1171			
		Argao et al, d- α -Tocopheryl Polyethylene Glycol-1000 Succinate Enhances the Absorption of Vitamin D in Chronic Cholestatic Liver Disease of Infancy and Childhood, Pediatric Research, Vol. 31, No. 2, 1992, pages 146-150			
		Bland et al, Vitamin E: Comparative Absorption Studies, International Clinical Nutrition Review, Vol. 4, No. 2, 1984, pages 82-86			
		Friman, et al, "Biliary Excretion of Different Sized Polyethylene Glycols in the Cat, Journal of Hepatology, Vol. 11, 1990, pages 215-220			
		Herold, et al, "Toxicity of Topical Polyethylene Glycol, Toxicology and Applied Pharmacology, Vol. 65, 1982, Pages 329-335			
		Krasavage, et al, d- α -Tocopheryl Poly(ethylene glycol) 1000 Succinate. Acute Toxicity, Subchronic Feeding, Reproduction, and Teratologic Studies in the Rat, J. Agriculture Food Chemistry, Vol. 25, No. 2, 1977, pages 273-278			
		Sokol et al, Treatment of Vitamin E Deficiency During Chronic Childhood Cholestasis With Oral d- α -Tocopheryl Polyethylene Glycol-1000 Succinate," Gastroenterology, Vol. 93, No. 5, 1987, pages 975-985			
		Sokol et al, "Tocopheryl Polyethylene Glycol 1000 Succinate Therapy for Vitamin E Deficiency During Chronic Childhood Cholestasis: Neurologic Outcome, The Journal of Pediatrics, Vol. 111, No. 6, 1987, pages 830-836			
		Sokol et al, Improvement of Cyclosporin Absorption in Children After Liver Transplantation by Means of Water-Soluble Vitamin E, The Lancet, Vol. 338, 1991, pages 212-215			
		Sokol et al, Multicenter Trial of d- α -Tocopheryl Polyethylene Glycol 1000 Succinate for Treatment of Vitamin E Deficiency in Children With Chronic Cholestasis, Gastroenterology, Vol. 104, No. 6, 1993, pages 1727-1735			

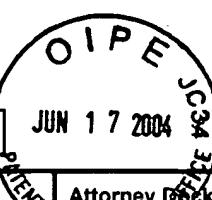
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet

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of

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Attorney Docket Number

71622

TRADEMARK
First Named Inventor

Cook

COMPLETE IF KNOWN

Application Number

10/788,795

Filing Date

February 27, 2004

Group Art Unit

1761

Sheet	3	of	3	Examiner Name	
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		Traber et al, Absorption of Water-Miscible Forms of Vitamin E in a Patient With Cholestasis and in Thoracic Duct-Cannulated Rats ¹⁻³ , American Journal of Clinical Nutrition, Vol. 44, 1986, pages 914-923	
		Traber et al, Uptake of Intact TPGS (d- α -Tocopheryl Polyethylene Glycol 1000 Succinate) a Water-Miscible Form of Vitamin E by Human Cells in Vitro ¹⁻³ , American Journal of Clinical Nutrition, Vol. 48, No. 3, 1988, pages 605-611	
		Traber et al, Efficacy of Water-Soluble Vitamin E in the Treatment of Vitamin E Malabsorption in Short Bowel Syndrome ¹⁻³ , American Journal of Clinical Nutrition, Vol. 59, 1994, pages 1270-1274	
		Ismailos et al, "Enhancement of Cyclosporin A Solubility by d-alpha-Tocopheryl Polyethylene-Glycol-1000 Succinate (TPGS), European Journal of Pharmaceutical Sciences, Vol. 1, 1994, pages 269-271	
		Stekel et al, Absorption of Fortification Iron from Milk Formulas in Infants ¹⁻³ , The American Journal of Clinical Nutrition, Vol. 43, 1986, pages 917-922	

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